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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/784,913	02/16/2001	Alison Lee	YOR9-2001-0157	4433

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EXAMINER

TRAN, MYLINH T

ART UNIT	PAPER NUMBER
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2174

DATE MAILED: 02/10/2004

8

Please find below and/or attached an Office communication concerning this application or proceeding.

67

**Office Action Summary**

Applicati n No.

09/784,913

Applicant(s)

LEE ET AL.

Examiner

Mylinh T Tran

Art Unit

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-- The MAILING DATE of this communication appears on the reverse with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 February 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>7</u> | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-11, 14-19 and 24-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Spiegel et al. [US. 6,466,918].

As to claim 1, Spiegel et al. discloses two or more visual categories, each of the visual categories divided into visual subcategories of ordered levels of specificity (column 1, line 35 through column 2, line 5), each of the ordered levels of specificity grouped into visual districts containing visual

subcategories of the same levels of specificity (column 4, line 53 through column 5, line 10 and column 8, lines 33-60).

As to claims 2 and 3, Spiegel et al. also discloses the visual districts being represented as shapes and spatially laid out to show the relationships with one or more: of the other visual districts and the visual districts being represented as concentric shapes (figure 1B, column 8, lines 33-67).

As to claim 4, Spiegel et al. teaches the visual districts are represented as two dimensional shapes (figure 1B, column 8, lines 33-67).

As to claim 5, Spiegel et al. also teaches the visual categories including any one or more of the following: a product category, a service category, a category class, a category list, a product class, a list of products in a class, a product specification, a service class, a list of services, a service specification, a social topic, a political topic, an educational topic, and a religious topic (column 1, line 60 through column 2, line 5).

As to claim 6, Spiegel et al. shows the levels of specificity including any one or more of the following: category class, category list, offering specification, product class, list of products in a class, product specification, service class, list of services, and a service specification (column 7, line 58 through column 8, line 8).

As to claim 7, Spiegel et al. also shows one or more nodes locating on one or more of the visual districts (column 4, lines 42-67).

As to claim 8, Spiegel et al. provides the nodes being differentiated by any one or more of the following ways: a color, a size, a shape (column 7, lines 50-67).

As to claim 9, Spiegel et al. also provides a user rolling over one or more of the nodes to display node information (column 11, lines 27-67).

As to claim 10, Spiegel et al. demonstrates a user selecting one or more nodes to execute a node function (column 8, lines 22-35).

As to claim 11, Spiegel et al. also demonstrates a user expanding one or more nodes to expose additional node functions (column 8, lines 8-15).

As to claims 14-15, Spiegel et al. suggests one or more of the nodes being a landmark that marks a salient location on one or more of the visual districts and the salient location being fixed and associated with one of the categories (column 7, lines 50-67).

As to claim 16, Spiegel et al. also suggests the salient location can change in time and being associated with an activity (column 2, lines 45-60).

As to claim 17, Spiegel et al. discloses the activity is any one or more of the following: a current "hot spot", "a list of most popular pages in a computer section", a public chat, a sale, a special product offering, a special service offering, and a sales agent availability (column 9, line 65 through column 10, line 17).

As to claim 18, Spiegel et al. also discloses the salient location being personally meaningful to the user (column 1, lines 35-67).

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As to claim 19, Spiegel et al. teaches the salient location representing any one or more of the following: a user's buddy, a chat buddy, a private chat, a user's favorite spot, and a user with common interest (column 1, lines 35-55).

As to claims 24 and 27, Spiegel et al. also teaches one or more paths, each path linking two or more nodes and representing one or more connectivity relationships among the nodes (column 2, lines 25-36).

As to claim 25, Spiegel et al. shows a path is associated with one of the following: a user's path through one or more of the visual districts, a customer's path through one or more of the visual districts, a preferred path of a group of users through one or more of the visual districts, a preferred path of a group of users with common interests through one or more of the visual districts, and a preferred path of a group of users with complementary interests through one or more of the visual districts (column 7, lines 5-25).

As to claim 26, Spiegel et al. also shows one or more node sets, each node set containing one or more nodes clustered in nearby locations in one or more of the visual districts (column 5, line 30 through column 6, line 15).

As to claim 28, Spiegel et al. provides one or more of the node sets is associated with one of the following: a density of users gathered in one or more adjacent node locations, a set of node locations marking results of a search, a set of node locations related by a semantic attribute, a set of area visited by a group of users with common interests, a set of node locations,

visited by a group of users with complementary interests, and a crowd of users (column 1, line 60 through column 2, line 25).

As to claim 29, Spiegel et al. also provides one or more of the node sets having a node set function (column 8, lines 22-45).

As to claim 30, Spiegel et al. demonstrates the node set function includes any one or more of the following: providing information about the set, changing a user's location to be associated with a node location in the set, and changing browser page to one that has information relating to a node in the set (column 8, lines 22-60).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 12-13 and 20-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Spiegel et al. in view of Tesler [US. 6,111,578].

As to claim 12-13 and 23, the difference between Spiegel et al. and the claim is the node functions including any one or more of the following: providing node information, displaying a menu of one or more other selectable node functions, a displaying menu of more node information, initiating a chat session, causing a user to be associated with a node location, providing

access to sale information, providing access to a salesman, and changing a browser page to one that has information relating to the node; and the nodes having node information that include any one or more of the following: a menu of one or more other selectable node functions and a menu of more node information. Tesler shows the feature of "displaying a menu of one or more other selectable node functions" at column 23, line 55 through column 24, line 10. It would have been obvious to one of ordinary skill in the art, having the teachings of Spiegel et al. and Tesler before them at the time the invention was made to modify the node information as taught by Spiegel et al. to include the menu of node function of Tesler, for the purpose of selecting a list of option in order to perform a desired action by a program user as taught by Tesler.

As to claim 20, Tesler discloses a user rolls over the salient location to display salient location information (column 6, lines 7-15).

As to claims 21 and 22, Tesler also discloses where the salient location information includes any one or more of the following- salient location identification and one or more salient location functions; and a user selects the salient location to execute a salient location function (column 17, line 50 through column 18, line 10).

### ***Conclusion***

Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231. If applicant desires fax a response,




(703) 872-9306, may be used for all fax. NOTE, A Request for Continuation (Rule 60 or 62) cannot be faxed.

Please label "PROPOSED" or "DRAFT" for information facsimile communications. For after final responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document. Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Fourth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mylinh Tran whose telephone number is (703) 308-1304. The examiner can normally be reached on Monday-Thursday from 8.00AM to 4.30PM

If attempt to reach the examiner by telephone are unsuccessful, the examiner 's supervisor, Kristine Kincaid, can be reached on (703) 308-0640, should be directed to the Group receptionist whose telephone number is (703) 305-3800.

Mylinh Tran  
Art Unit 2174

  
SY D. LUV  
PRIMARY EXAMINER